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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,960	06/21/2001	Yung-Tang Lee	3313-0335P-SP	2767
2292	7590	12/16/2004	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			KNOWLIN, THJUAN P	
			ART UNIT	PAPER NUMBER
			2642	

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/884,960	LEE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thjuan P Knowlin	2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 21 June 2001.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-19 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-19 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-3, 12-14, 16, and 18-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Kaario (US 6,563,424).
2. In regards to claims 1, 16, and 18, Kaario discloses a communication clothes for users wearing and connecting with signals of a mobile phone, comprising: a clothes for users wearing (garment 11); a connector connectors 24 and 26) disposed at a selected location on the clothes for connecting signal connection port signals of the mobile phone (col. 4 lines 24-33); a speaker (earphone 41 and headset connector 44) located on the clothes proximate to the ears of the users and linked to the connector for connecting the signals for generating audio signals for the mobile phone; and a microphone (microphone 42) located on the clothes proximate to the mouths of the users and linked to the connector for receiving users' speaking voice signals and transmitting to the mobile phone through the connector (Fig. 1 and col. 4 lines 52-59).

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3. In regards to claims 2 and 3, Kaario discloses the communication clothes, wherein the clothes is a jacket (garment 11) (Fig. 1).

4. In regards to claims 12 and 13, Kaario discloses the communication clothes, wherein the clothes further has a hanging ring stitched thereon proximate to the connector for hanging the mobile phone (col. 4 lines 41-49).

5. In regards to claim 14, Kaario discloses the communication clothes, wherein the clothes has a pocket to hold the connector, the mobile phone (electronic device 17) being held in the pocket (pocket 14) and connecting to the connector signals (col. 4 lines 41-49).

6. In regards to claim 19, Kaario discloses the communication clothes, wherein the speaker and the microphone are linked to the connector through a second wire, the second wire being embedded in the stitches of a clothes rim (Fig. 1 and col. 4 lines 52-59).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4, 15, and 17, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaario (US 6,563,424).

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8. In regards to claim 4, Kaario discloses the communication clothes, wherein the clothes is a jacket (garment 11) or an outerwear (Fig. 1). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to also make the clothes a suit, as a way of providing a more business style of appearance.

9. In regards to claim 15, Kaario discloses the communication clothes, wherein the speaker and microphone are attached to the collar of the clothes. Therefore, depending on the style, size, and/or shape of the collar, the speaker and microphone could be hidden by the collar. It would merely depend on the design of the communication clothes.

10. In regards to claim 17, Kaario does not disclose the communication clothes as having a cap. However, it is well known that jackets typically come with hoods or caps. It merely depends on the design of the jacket.

11. Claims 5-11 are rejected under 35 U.S.C. 103(a) as being upatentable over Karrio (US 6,563,424), in view of Spanyar (US 6,155,841).

12. Karrio discloses all of claims 5, 10, and 11 limitations, except the communication clothes, further including a keyboard attached to the clothes at a selected location and linked to the connector to form a signal connection for entering input information into the mobile phone. Spanyar, however, does disclose the communication clothes, further including a keyboard (keyboard 16) attached to the clothes at a selected location and linked to the connector to form a signal connection for entering input information into the mobile phone (col. 2 lines 38-54). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to employ this feature as a way of

making it more convenient for a user to speak on the phone, by means of freeing his or her hands. For example, by integrating the keyboard in the sleeve region the keyboard is always located in a position, which is convenient for use.

13. Kaario discloses all of claim 6 limitations, except the communication clothes, wherein the keyboard is located on a sleeve of the clothes adjacent the sleeve opening end. Spanyar, however, discloses the communication clothes, wherein the keyboard is located on a sleeve of the clothes adjacent the sleeve opening end (Fig. 1 and col. 2 lines 38-46).

14. Kaario discloses all of claims 7, 8, and 9 limitations, except the communication clothes, wherein the sleeve further has a cover flap adjacent the sleeve opening end. Spanyar, however, discloses the communication clothes, wherein the sleeve further has a cover flap adjacent the sleeve opening end (Fig. 2, col. 1 lines 35-37, and col. 4 lines 10-20).

### ***Conclusion***

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Goldberg et al (US 5,966,639) teach a system and method for enhancing speech intelligibility utilizing wireless communication.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P Knowlin whose telephone number is (703) 308-1727. The examiner can normally be reached on Mon-Fri 8:00-4:30pm.

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17. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703)305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

18. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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